

VZCZCXRO4804  
PP RUEHROV  
DE RUEHAM #4991/01 3521158  
ZNR UUUUU ZZH  
P 181158Z DEC 07  
FM AMEMBASSY AMMAN  
TO RUEHC/SECSTATE WASHDC PRIORITY 1249  
INFO RUEHKK/ARAB ISRAELI COLLECTIVE  
RUEHKA/AMEMBASSY DHAKA 0135  
RUCPDOG/DEPT OF COMMERCE WASHDC

UNCLAS SECTION 01 OF 02 AMMAN 004991

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E.O. 12958: N/A

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SUBJECT: Jordan Seeing More Illegal and Violent Strikes in QIZ  
Factories

REF: A) Amman 4166

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¶1. (SBU) Jordan's garment factories in the Qualifying Industrial Zones (QIZ's) have been experiencing strikes five to six times a month, often led by Bengali workers, according to the Jordanian Ministry of Labor (MOL). MOL inspectors have seen strikes become more "illegal" in nature, normally occurring without the prior notice required by law, and revolving around demands outside the Jordanian government's control or scope of the law, such as the firing of supervisors or salary increases above the minimum wage. Another trend is the increasing use of violence, including threats to set fire to factories, or holding management hostage. The issue of pending overstay fines, which the Labor Minister said would soon be resolved, has been a main cause for strikes and raised concerns of potential human rights problems. End Summary.

More "Illegal" and Violent Strikes  
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¶2. (SBU) On December 9, the MOL Inspections Directorate told Embosffs that strikes occur in the QIZ's about five to six times a month, some lasting a day, others weeks. NOTE: The number of striking workers varies depending on the source. For example, in one case, local press reported 600-1,200 striking workers, while the New York-based National Labor Committee (NLC) has claimed as many as 3,000. END NOTE. Bengali workers, in particular, have been seen as the primary instigators of strikes (Ref A). Strikes are also increasingly "illegal" according to the GOJ, in part because the workers often have failed to give the prior 14-day notice required by law.

¶3. (SBU) MOL has found many of the recent demands to be unreasonable and out of its control. As a USAID-funded MOL Advisor explained, many of the foreign workers have come to believe that the GOJ will intervene on their behalf even if the issue goes beyond the scope of the local labor law. For example, Chinese workers at one factory went on strike demanding raises to account for exchange rate fluctuations, given that both the Jordanian dinar and the Chinese yuan are pegged to the weakening U.S. dollar. Dana Bayyat, Executive Director of CCKM Apparel, confirmed that her factory had a strike in October in which the Bengali workers demanded that their production manager, whom they elected, be fired and deported (Ref A). She ended up sending the supervisor home in order to resume business.

¶4. (SBU) One board member of Jordan's garment association (JGATE) told an anecdote from her factory, where over 90% of employees are Bangladeshi, of a foreign worker who had received a minor cut on his finger that barely scratched the surface. After receiving treatment

and a band-aid from the factory doctor, the worker demanded to see a medical specialist or else he would call her American buyers. He backed down and apologized after she offered him her phone to place the call. She said that many of the foreign workers, believing that the factory management has been scared by previous NLC allegations of labor violations, will make unreasonable demands by holding up NLC reports and saying that "they know who to call."

15. (SBU) MOL also indicated that another new trend is the resort to violence. Bangladeshi workers have threatened to set fire to factories. They have also attacked and held hostage supervisors, foreign Embassy officials, and/or MOL inspectors, as was the case with the strike at Cotton Craft factory (Ref A).

16. (SBU) Most recently, six workers from DK Factory were arrested for allegedly assaulting their company's production manager and incited workers to sabotage the company's properties. After the NLC issued a November 26 report on the case, the MOL posted a response on its website, correcting inaccuracies in the NLC report regarding the working conditions, and requested that the National Center for Human Rights (NCHR) conduct an independent investigation into the allegations against the local police. NCHR issued a December 17 report on its investigation, noting the local police had arrested the workers on November 10 after they attacked the production manager a second time. The manager subsequently dropped the charges, and authorities detained the workers without trial for over a month under the Crime Prevention Law. Following the NCHR report, the GOJ released and waived overstay fines for the workers, who left Jordan on December 15. Labor Minister Bassem Salem criticized inaccuracies in NLC reports, but admitted to the Ambassador December 17 that in this instance, the report prompted the GOJ to take immediate action.

#### Lagging Regularization Process Causing Problems

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17. (SBU) One issue causing tension within the QIZ factories is the lagging regularization process. In August, with JGATE's assistance, MOL issued temporary worker permits to over 6,000 QIZ foreign workers. Many of these workers could not get permanent worker or residency permits because they had accrued overstay fines of 1.5 JD (\$2.12) per day for every day that they were "illegally" in Jordan. NOTE: Any expatriate in Jordan out of legal status accrues the 1.5 JD/day overstay fine, which must be paid before departure. END NOTE. In some cases, fines accrued because the GOJ did not process the paperwork in a timely fashion after having transferred workers from closed-down factories to new factories after the May 2006 NLC report. In other cases, the factory management had not presented the proper paperwork.

18. (SBU) Several months ago, MOL proposed to the Ministry of Interior that approximately JD 6 million (USD 8.5 million) in overstay fines for these workers be waived, in order to let the regularization process proceed. In about 400 cases, some companies would be required to pay reduced fines of about JD 500 (USD 706) per person, which were deemed legitimate by MOL. The Ministry of Labor has noted that the lost revenue would be made up in the first two years, as workers would have to pay fees initially to get residency and work permits, and then again a year later to extend the permits.

19. (SBU) Salem told the Ambassador on September 26, that he expected the Minister of Interior to approve the proposal to waive the fines, and that no USG intervention was needed. The Ambassador reiterated U.S. concerns December 17, and Salem assured him that the Minister of Interior agreed with the concept, and that the two ministries were verifying final numbers before submitting the proposal to the Cabinet. Salem expected resolution by the end of the year.

110. (SBU) Pending final resolution, MOL previously extended work permits until December 15, and plans to do it again. In cases of people wanting to return to their home country, there is a mechanism for the worker to apply for a waiver through MOL to MOI. The NCHR

has also reported to the Embassy a high rate of success in receiving waivers directly through MOL, such that MOL is now referring pending cases to NCHR for action. Approximately 146 people have used this procedure, and of those, about 40-50 were approved by MOI. The rest of the cases, however, have not yet been settled.

¶11. (SBU) As a board member of JGATE, Bayyat has been trying to press this issue with the GOJ, noting that it has the potential to become a human rights and forced labor issue. Even in cases where the worker does not want to return home, she said that workers do not feel comfortable traveling within or outside the country with only a temporary worker permit.

Need for New Labor Law

¶12. (SBU) At a December 13 lunch with JGATE, board members noted that they were also looking forward to a new labor law, still pending Cabinet approval (septel). They noted that parts of the current law were vague, which contributed to confusion when the MOL and police arrived at the scene of a strike. Although they believe the draft labor law is already a bit outdated, all agreed it represented a significant improvement over the existing legal framework. All also concurred that factories need to uphold international labor standards and enforce local labor laws.

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